

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI, INC.,  
OPENAI LP, OPENAI GP, LLC, OPENAI, LLC,  
OPENAI OPCO LLC, OPENAI GLOBAL LLC,  
OAI CORPORATION, LLC, and OPENAI  
HOLDINGS, LLC,

Defendants.

Civil Action No.  
1:23-cv-11195 (SHS) (OTW)

DAILY NEWS, LP; THE CHICAGO TRIBUNE  
COMPANY, LLC; ORLANDO SENTINEL  
COMMUNICATIONS COMPANY, LLC; SUN-  
SENTINEL COMPANY, LLC; SAN JOSE  
MERCURY-NEWS, LLC; DP MEDIA NETWORK,  
LLC; ORB PUBLISHING, LLC; AND  
NORTHWEST PUBLICATIONS, LLC,

Plaintiffs,

v.

MICROSOFT CORPORATION, OPENAI, INC.,  
OPENAI LP, OPENAI GP, LLC, OPENAI, LLC,  
OPENAI OPCO LLC, OPENAI GLOBAL LLC,  
OAI CORPORATION, LLC, and OPENAI  
HOLDINGS, LLC,

Defendants.

Civil Action No.  
1:24-cv-03285 (SHS) (OTW)

**PLAINTIFFS' MOTION TO SEAL**

Under paragraph 22 of the Stipulated Protective Order in this case (New York Times Dkt. [127](#)), Plaintiffs The New York Times Company (“The Times”) and Daily News, LP, et al. (“Daily News Plaintiffs”) (collectively the “News Plaintiffs”), respectfully seek to provisionally file under seal an exhibit to their letter motion to compel. *See* Dkts. [379-15](#) (*The Times* docket) and [236-15](#) (*Daily News* docket) (sealed version). Public redacted versions of the exhibit have been filed as Dkts. [427](#) (*The Times* docket) and [264](#) (*Daily News* docket). The letter motion seeks a conference to discuss a discovery dispute—specifically, News Plaintiffs’ request to compel OpenAI to preserve output log data. The News Plaintiffs seek to file an exhibit to the motion under seal because the exhibit references a technical codename that Defendants have designated as Protected Discovery Material under the Protective Order. Dkt. 127 ¶ 22. The News Plaintiffs does not affirmatively seek to seal any material. Under the Protective Order, Defendants have five business days to file a statement of reasons for why the material should be sealed. *Id.* The News Plaintiffs will review Defendants’ filings, and if necessary, confer about any disagreement.

Dated: January 17, 2025

/s/ Ian Crosby

Ian Crosby (*pro hac vice*)  
 Genevieve Vose Wallace (*pro hac vice*)  
 Katherine M. Peaslee (*pro hac vice*)  
 SUSMAN GODFREY L.L.P.  
 401 Union Street, Suite 3000  
 Seattle, WA 98101  
 Telephone: (206) 516-3880  
 Facsimile: (206) 516-3883  
 icrosby@susmangodfrey.com  
 gwallace@susmangodfrey.com  
 kpeaslee@susmangodfrey.com

Davida Brook (*pro hac vice*)  
Emily K. Cronin (*pro hac vice*)  
Ellie Dupler (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
1900 Ave of the Stars, Suite 1400  
Los Angeles, CA 90067  
Telephone: (310) 789-3100  
Facsimile: (310) 789-3150  
dbrook@susmangodfrey.com  
ecronin@susmangodfrey.com  
edupler@susmangodfrey.com

Elisha Barron (5036850)  
Zachary B. Savage (ZS2668)  
Tamar Lusztig (5125174)  
Alexander Frawley (5564539)  
Eudokia Spanos (5021381)  
SUSMAN GODFREY L.L.P.  
One Manhattan West  
New York, NY 10001  
Telephone: (212) 336-8330  
Facsimile: (212) 336-8340  
ebarron@susmangodfrey.com  
zsavage@susmangodfrey.com  
tlusztig@susmangodfrey.com  
afrawley@susmangodfrey.com  
espanos@susmangodfrey.com

Scarlett Collings (4985602)  
SUSMAN GODFREY L.L.P.  
1000 Louisiana, Suite 5100  
Houston, TX 77002  
Telephone: (713) 651-9366  
Facsimile (713) 654-6666  
scollings@susmangodfrey.com

Steven Lieberman (SL8687)  
Jennifer B. Maisel (5096995)  
Kristen J. Logan (*pro hac vice*)  
ROTHWELL, FIGG, ERNST & MANBECK, P.C.

901 New York Avenue, N.W., Suite 900 East  
Washington, DC 20001  
Telephone: (202) 783-6040  
Facsimile: (202) 783 6031  
slieberman@rothwellfigg.com  
jmaisel@rothwellfigg.com  
klogan@rothwellfigg.com

***Attorneys for Plaintiff***  
***The New York Times Company***

/s/ Steven Lieberman

Steven Lieberman (SL8687)  
Jennifer B. Maisel (5096995)  
Robert Parker (*pro hac vice*)  
Jenny L. Colgate (*pro hac vice*)  
Mark Rawls (*pro hac vice*)  
Kristen J. Logan (*pro hac vice*)  
Bryan B. Thompson (6004147)  
ROTHWELL, FIGG, ERNST &  
MANBECK, P.C.  
901 New York Avenue, N.W., Suite 900 East  
Washington, DC 20001  
Telephone: (202) 783-6040  
Facsimile: (202) 783-6031  
slieberman@rothwellfigg.com  
jmaisel@rothwellfigg.com  
rparker@rothwellfigg.com  
jcolgate@rothwellfigg.com  
mrawls@rothwellfigg.com  
klogan@rothwellfigg.com  
bthompson@rothwellfigg.com

Jeffrey A. Lindenbaum (JL1971)  
ROTHWELL, FIGG, ERNST &  
MANBECK, P.C.  
3 Manhattanville Road, Suite 105  
Purchase, New York 10577  
Telephone: (202) 783-6040  
Facsimile: (202) 783-6031

jlindenbaum@rothwellfigg.com

***Attorneys for Plaintiffs***

***Daily News, LP; The Chicago Tribune Company, LLC; Orlando Sentinel Communications Company, LLC; Sun-Sentinel Company, LLC; San Jose Mercury-News, LLC; DP Media Network, LLC; ORB Publishing, LLC; and Northwest Publications, LLC***